

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

Criminal No. 05-354 (JAF)

V.

HECTOR RENE LUGO-RIOS (01);
ANDRES CARRASQUILLO-COLON (02);
ELBA GARCIA-PASTRANA (03);
FELIPE ROMAN-LOZADA (04);
JESUS CARABALLO-ORTIZ (05);
LUIS ANDINO-DELBREY (06);
FRANCISCO MARTINEZ-IRIZARRY
(07);
JUAN RAMOS-HERNANDEZ (08);
ENRIQUE VAZQUEZ-PRESTAMO (09);
JORGE L. URBINA-ACEVEDO (10);
JUAN ROLDAN-VEGA (11),

Defendants.

ORDER ON FORFEITURE COUNTS

1. It appears that the two real properties described in Count One-Hundred and Forty-One of the Indictment belong to Héctor René Lugo-Ríos and his wife Gladys Serrano-Quintana.

2. It is not clear whether any of the seized accounts described in the Indictment and in Docket Document No. 557 at ¶ 3 belong to any of the defendants or are simply Union accounts that may contain moneys originally destined to the Health Plan(s).

3. There is also specific cash and jewelry seized from Héctor René Lugo-Ríos, Andrés Carrasquillo-Colón, and Elba García-Pastrana.

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1 Regarding the above, the court intends to enter a forfeiture
2 judgment against the real properties, cash, and jewelry of Héctor
3 René Lugo-Ríos up to and including the amount of \$5,802,693.00. We
4 also intend to extend said judgment to any moneys belonging to or
5 claimed by Héctor René Lugo-Ríos in the seized accounts up to
6 \$5,802,693.00. The court does not intend to enter a forfeiture
7 judgment against seized Union accounts, other than in reference to
8 amounts contained therein that are Health Plan contributions. Even
9 as to these, we will consider restitution of these amounts back to
10 the AAA or to any legitimately-established Health Plan consistent
11 with the original intent behind these moneys.

12 Regarding the other defendants and the forfeiture counts, the
13 court intends to issue a judgment against any interest or
14 participation these defendants may have in said cash, jewelry or
15 seized accounts, jointly and severally against all of them, in the
16 amount of \$5,802,693.00.

17 The parties are to respond and show cause, **within the next ten**
18 **(10) days**, as to why this action should not be taken. The government
19 will explain why a separate, related civil forfeiture action is not
20 the best course of action.

21 This Order disposes of Docket Document Nos. 540 and 557. The
22 issue of forfeiture will not affect the previously-set sentencing
23 hearings.

24 **IT IS SO ORDERED.**

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1 San Juan, Puerto Rico, this 28th day of November, 2006.

2 S/José Antonio Fusté
3 JOSE ANTONIO FUSTE
4 U. S. District Judge